

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISON**

JOHN WARREN
Plaintiff

VS.

GAJANAN HOTEL GROUP, LLC
Defendant

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C.A. NO. 1:23-CV-00395-MAC

UNOPPOSED MOTION TO REMAND

TO THE HONORABLE UNITED STATES DISTRICT JUDGE

NOW COMES Plaintiff John Warren in the above-referenced suit who files this Unopposed Motion to Remand and in support thereof, would respectfully show unto the Court as follows:

I. RELIEF SOUGHT

1. This is a personal injury case wherein the Plaintiff was injured while staying at Fairfield Inn and Suites in Beaumont, Texas. Plaintiff alleges that the chair in his hotel room was defective and that he flipped backward when he sat in the chair and broke his back. Plaintiff alleges that the Defendant knew or should have known that the chair was defective and failed to warn or make safe.

2. Plaintiff originally filed this suit in State Court (Jefferson County District Court) against Defendant Marriott International, Inc. Defendant Marriott International, Inc removed on grounds of complete diversity because Defendant Marriott International, Inc was an out of state corporation. After counsel engaged in informal discussions, parties agreed that the property in question was not actually owned by Defendant Marriott International, Inc, but was owned by Defendant Gajanan Hotel Group, LLC. Thus, on March 1, 2024, Plaintiff filed an Unopposed Motion for Leave to Amend wherein Defendant Marriott International, Inc was removed and

Defendant Gajanan Hotel Group, LLC was added. Defendant Gajanan Hotel Group, LLC is represented by Glast, Phillips & Murray, PC who previously represented Defendant Marriott International, Inc in this case. Defendant Gajanan Hotel Group is a Texas resident for diversity jurisdiction purposes, without complete diversity there is no basis for federal jurisdiction. Therefore, Plaintiff files this Unopposed Motion to Remand to State Court.

II. PRAYER

Wherefore, Plaintiff prays that the court will grant his Unopposed Motion to Remand so that the case can proceed in State Court.

Respectfully submitted,



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Attorney for Plaintiff

CERTIFICATE OF CONFERENCE

On March 5, 2024, the undersigned conferred with Defendant's counsel regarding the Motion to Remand. Defendant's counsel is unopposed to Plaintiff's Motion.

A handwritten signature in black ink, appearing to read "Dan Packard", is written above a horizontal line.

Daniel W. Packard

CERTIFICATE OF SERVICE

On this the 6th day of March 2024, I electronically submitted and served the forgoing document with the clerk of the court for the U.S. District Court, Eastern District of Texas, using the electronic case filing system of the court.

A handwritten signature in black ink, appearing to read "Dan Packard", written in a cursive style.

Daniel W. Packard